IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

S.B. CIVIL WRIT PETITION NO. 117/1998

VINOD KUMAR GAUR Vs. STATE OF RAJASTHAN & ANR.

Date: 13.12.2006.

HON'BLE MR. K.S. RATHORE, J.

Mr. S.P. Sharma for the petitioner.
Mr. B.S. Chhaba, Addl. GA for the State.

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The petitioner was given appointment vide order dated 08.11.82 on the post of Live Stock Assistant and vide order dated 17.02.84 the petitioner was transferred to Jaipur Poly Clinic as Live Stock Assistant. It is not disputed that Live Stock Assistant, Milk Recorder and Laboratory Assistant are inter transferable services and having a same pay scale prior to issuance of notification dated 01.02.92.

The controversy only arose when after publication of this notification when the petitioner claimed that he has worked as Laboratory Assistant for the period from 15.10.88 to 01.09.96, therefore, he is entitled to get the arrears of pay scale which has been revised by way of issuance of the amendment in the Pay Scale Rules, 1989 and pay has been revised and this notification is made effective from 01.09.88. Thus, he

is entitled to get the arrears of revised pay scale.

It is not disputed that the petitioner has discharged the work as Laboratory Assistant Grade-III. It is also given out that later on this anomaly has been removed, which is notified by way of amendment in the year 1998 and made effective from 01.09.96.

Thus, in view of the settled preposition of law, since the petitioner has worked as Laboratory Assistant, he is entitled to get the difference of arrears as per the notification dated 01.02.92 and the respondents are directed to make the payment of arrears for the aforesaid period.

The writ petition stands disposed of.

(K.S. RATHORE),J.

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